

Equality of Opportunity Committee

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Annual Report for 2006 - 2007

About this Report

1. This report forms part of the Assembly's annual report on its arrangements to promote equality of opportunity. It sets out the Equality of Opportunity Committee's activities in the financial year 2006 - 2007.

Background to the Committee

2. The Committee is provided for by the Assembly's Standing Orders to audit the Assembly's arrangements for promoting equality of opportunity for all people in the exercise of the Assembly's functions and the conduct of its business. Section 48 and 120 of the Government of Wales Act 1998 impose on the Assembly a duty to further the principle that there should be equality of opportunity for all. The Committee's terms of reference are set out in Standing Order 14 (Annex A1).

3. The Committee's membership is at Annex A2.

4. The Committee has a number of standing invitees that provide expert advice: the Equal Opportunities Commission (EOC), the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC), Stonewall Cymru and the Welsh Language Board.

5. Standing Order 14 requires the Committee to have particular regard to the need for the Assembly to avoid discrimination on grounds of gender, race or disability. While maintaining this focus, the Committee also has regard to other sources of discrimination and social exclusion including age, religion and belief, sexual orientation and Welsh language.

Key Issues Considered during the financial year 2006-07

Statutory Items

6. The Committee is required by Standing Orders to consider the following:

The Assembly's Annual Report on Equality

7. During September 2006 the Committee agreed its annual report for 2006-07 and in October 2006, considered reports on equality arrangements in the Assembly Parliamentary Service and the Welsh Assembly Government. In 2006, each Subject Committee was asked to consider the sections of the

Welsh Assembly Government's report that were relevant to the Ministerial portfolio in advance of the Equality of Opportunity Committee's own scrutiny of the report. This enabled the Equality of Opportunity Committee to base their assessment of the report on the comments from Subject Committees who were able to scrutinise each section in detail. The Seventh Equality Annual Report was debated in plenary on 5 December 2006.

Scrutiny of Legislation

8. On 22 February 2005 a change to Standing Order 6.6iv was agreed in Assembly Plenary to allow the Business Minister, after debate of the UK Government's Legislative Programme, to formally remit primary legislation in that programme to 'relevant Committees', ie not just Subject Committees. The Committee considered the Welfare Reform Green Paper (New Deal for Welfare) at its meeting in May 2006 and the subsequent Welfare Reform Bill in September 2006. The Committee's report on the Bill was sent to the relevant House of Commons Standing Committee as well as Welsh MPs and Lords in an attempt to influence the Bill's passage through Parliament.

9. The Committee considered the Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006 in September 2006. The Committee recommended that the Assembly, which was to debate the Order under Standing Order 26, decline to approve the Order because it could seriously compromise work already being carried out by the Welsh Assembly Government on equal pay. The UK Government agreed to withdraw the Order from Wales and negotiate a Transfer of Functions for Wales to make its own Order.

10. In January 2007, the Committee wrote to the Secretary of State for Communities and Local Government about the proposed Sexual Orientation (Provision of Goods, Facilities and Services) Regulations 2007 reiterating the Committee's position that there should be no discrimination on the grounds of sexual orientation

11. Statutory Guidance under Section 69 of the Countryside and Rights of Way Act and the draft revised circular: Planning for Gypsy and Traveller Caravan Sites were considered by the Committee in February 2007.

Reports of Public Bodies Concerned with the Promotion of Equal Opportunities

12. In accordance with Standing Order 14.2, the Committee considers the annual reports of the three statutory equality commissions and the Welsh Local Government Association Equalities Unit.

Commission for Racial Equality

13. The Committee considered the Annual Report of the Commission for Racial Equality (CRE) on 28 February 2007. The main issues arising were:

the success of the Croeso initiative;

progress made in taking forward the duty to promote race equality;

the Commission's report on Local Authority BME Housing Strategies in Wales;

implementation and monitoring of the Assembly's Race Equality Scheme;

the statistical recording of ethnic minority groups;

preparing the way for the Commission for Equality and Human Rights.

Disability Rights Commission

14. The Committee considered the Annual Impact Review of the Disability Rights Commission (DRC) on 28 February 2007. The main issues arising were:

progress made in taking forward the duty to promote disability equality;

the DRC's report into Health Inequalities;

the Disability Agenda;

the access to sport and leisure facilities;

employment opportunities for disabled people in Wales;

the role of the Committee in monitoring the work of the CEHR to ensure that disability issues remained high on the Commission's agenda.

Equal Opportunities Commission

15. The Committee considered the Annual Report of the Equal Opportunities Commission on 8 March 2007. The key themes were:

(to be included)

The Welsh Local Government Association (WLGA) Equality Unit's annual report

16. In July 2006 the Committee discussed equality and diversity in local government with the WLGA's Head of Equality and Social Justice. The Committee received the Equalities Unit's fourth annual report and an evaluation of its operations to date, as well as considering the implications of the equal pay requirements for local authorities in Wales.

Policy Reviews

Service Provision for Disabled Young People

17. The Committee conducted two further evidence sessions for its review of service provision for disabled young people.. This included a session with Ministers which gave members of the reference group an opportunity to put questions directly to policy makers on key issues raised during the course of the review.

18. The final Committee report was launched and debated on 13 January 2007. It included 40 recommendations, across Ministerial portfolios, aimed at improving service provision for disabled young people in Wales. The Committee is due to consider the Welsh Assembly Government's response to recommendations made in the report at its 8 March meeting.

19. The Committee is proud of its innovative approach to working with disabled young people and would like to thank all those who have been involved in contributing to the success of the group, not least the young people and their support workers. It would strongly recommend the use of reference groups as a way of engaging disabled young people in the work of Assembly Committees in the future.

Mainstreaming Equality in the Work of the National Assembly

20. On 27 September 2006 the Committee considered progress made by the Welsh Assembly Government in taking forward recommendations contained in its report on Mainstreaming Equality in the Work of the National Assembly. In particular the Committee questioned the Minister for Assembly Business, Equalities and Children on the implementation of the Government's Mainstreaming Equality Strategy (recommendations 2 of the Committee report). The Committee subsequently considered a report on the Equality Audit of Assembly policies, strategies and programmes at its 28 February meeting.

Service provision for Gypsies and Travellers

21. In January 2007 the Committee received an update on progress made by the Welsh Assembly Government in implementing recommendations contained in the Committee's report on Service Provision for Gypsies and Travellers in Wales. The Minister for Social Justice and Regeneration attended the meeting to discuss the findings of the report on Accommodation needs of Gypsy-Travellers in Wales. Following Members concerns about the lack of progress made in taking forward the education related recommendations the Committee invited the Minister for Education, Lifelong Learning and Skills to its 28 February meeting.

Other key issues considered by the Committee

Direct scrutiny of Ministers

22. In November 2006 the Committee scrutinised the Minister for Enterprise, Innovation and Networks on equality aspects of 'Wales: A Vibrant Economy'.

23. In January 2007 the Committee invited the Minister for Social Justice and Regeneration to its

meeting to question her on issues relating to Asylum Seekers and Refugees in Wales.

24. The Minister for Education, Lifelong Learning and Skills was invited to the February 2007 meeting to provide an update on implementation of the Assembly's Childcare Strategy.

Scrutiny of how other Assembly Committees consider equality

25. As part of the mainstreaming process (see recommendation 26 of the 'Mainstreaming Equality' report) the work programmes and annual reports of other Committees were considered in June and September 2006 respectively.

26. In May 2006 the Chair wrote to all Subject Committee Chairs requesting that they have regard for equality issues when determining their priorities in the draft Assembly budget for 2007-08.

Statutory Equality Duties

27. At its May 2006 meeting the Committee received an update from the Minister for Assembly Business, Equalities and Children on the Welsh Assembly Government's plans in relation to the disability and gender equality duties introduced in December 2006 and April 2007 respectively.

28. In October 2006 the Committee scrutinised the draft Disability Equality Schemes of the Welsh Assembly Government and the Assembly Parliamentary Service for which the Minister for Assembly Business, Equalities and Children; the Chair of House Committee and the Clerk to the Assembly were present.

29. The Committee will consider the Welsh Assembly Government's draft Gender Equality Scheme at its 8 March meeting.

30. The Committee considered progress made by the Welsh Assembly Government and Assembly Parliamentary Service in implementing the Assembly's Race Equality Scheme as part of discussion of the Assembly's Seventh Annual Equality Report 2005-06.

Commission for Equality and Human Rights (CEHR)

31. During the reporting year the Committee continued to take an interest in the development of the Commission for Equality and Human Rights. At its October 2006 meeting the Committee received an update from the Minister for Assembly Business, Equalities and Children; and the Parliamentary Under Secretary of State for Women and Equality, on the formation of the Commission. The Commissioner for Wales attended the January 2007 meeting to discuss ways of working with the successor Committee in the Third Assembly.

Stonewall Cymru

32. In November 2006 the Committee reviewed progress on the Assembly Government's response to recommendations in Stonewall Cymru's reports 'Counted Out' and 'Count Us In'. During discussion

the issue of exemptions in the Sexual Orientation (Provision of Goods, Facilities and Services) Regulations. The Committee subsequently considered the issue of exemptions at its January 2007 meeting and agreed to write the Secretary of State for Communities and Local Government to oppose exemptions to the legislation (see paragraph 10 above).

Equal Pay

33. In November 2006 the Committee received an update on the third phase of the 'Close the Pay Gap' campaign. As well as receiving a report from the Minister for Assembly Business, Equalities and Children, the Committee heard from the Welsh Local Government Association on progress made by local authorities in addressing pay inequalities.

Children

34. In addition to its policy review work and the update on the Assembly's Childcare Strategy, the Committee participated in a joint meeting of relevant Assembly Committees to consider the Children's Commissioner's Annual Report for 2006 on 8 March 2007.

35. During 2006-07 the Committee also received presentations from the following:

The Welsh Language Board on the proposed merger

The Office for National Statistics on development of the Census 2011

Working Practices

36. The Committee adapted its approach to evidence-taking to allow better participation by its advisory reference group of disabled young people, in line with the motto 'nothing about us without us'. The Committee will continue to seek to reflect equality and diversity principles in the way that it does business, and to share best practice with other Committees and parts of the Assembly.

Future Priorities

37. At its 8 March meeting the Committee will be asked to agree its legacy paper for its successor Committee in the Third Assembly.

38. The report recommends that the successor Committee concentrate on the following issues:

Mainstreaming Equality

The role of the Commission for Equality and Human Rights (CEHR) in Wales

Implementation of the Race, Disability and Gender Equality Duties in Wales.

Monitoring the implementation of recommendations contained in the Committee's reports: Review of Service Provision for Gypsies and Travellers; Mainstreaming Equality in the work of the Assembly; and Service Provision for Disabled Young People: "Why is it that disabled young people are always left until last?".

Annex A1

Terms of Reference

Extracts from Government of Wales Act 1998

Section 48

(1) The Assembly shall make appropriate arrangements with a view to securing that its business is conducted with due regard to the principle that there should be equality of opportunity for all people.

Section 120

(1) the Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people.

(2) After each financial year the Assembly shall publish a report containing:

a) A statement of the arrangements made in pursuance of subsection (1) which had effect during that financial year; and

b) A statement of how effective those arrangements were in promoting equality of opportunity.

Standing Order 14 - Committee on Equality of Opportunity

Title and Terms of Reference

14.1. There shall be a Committee on Equality of Opportunity, which shall audit the Assembly's arrangements for promoting in the exercise of its functions and the conduct of its business the principle that there should be equality of opportunity for all people. The Committee shall also have particular regard to the need for the Assembly to avoid discrimination against any person on grounds of race, sex or disability.

14.2. The Committee shall submit an annual report to the Assembly on those arrangements and their effectiveness. It shall also review and report to the Assembly its conclusions on the Annual Reports submitted to the Assembly by public bodies concerned with the promotion of equal opportunities.

Membership

14.3 The members of the Committee shall be elected by the Assembly having regard to the desirability of each Subject Committee being represented on the Committee and so as to ensure that, so far as practicable, the balance of political groups in the Assembly is reflected in its membership. The Assembly shall elect one of the members of the Committee to chair the Committee, but it may not be chaired by a Minister.

14.4 A Committee member who has given advance notice to the chair may be represented at a meeting of the committee by another Member from the same political group who has been identified in advance. In giving such notice, the Member shall indicate the reason for the need for substitution. The nominated representative may participate in the meeting of the committee in all respects as if he or she were a member of it. No Member may represent more than one Committee member at a meeting.

14.5 Members who are not members of the Committee may attend its meetings when these are in public. Any Assembly Members who have specific constituency or regional interests to pursue in relation to the work of the Committee may in advance of any meeting seek the chair's permission to make representations to the Committee at that meeting; but they may not vote. Members may also write to the chair requesting that their observations on any aspect of the Committee's work be tabled for consideration by the Committee at its next meeting; and the chair shall arrange for such tabling to take place.

14.6 Without prejudice to Standing Order 8.17, the Committee shall, from time to time, appoint such advisers as it requires to enable the views of minority or disadvantaged groups to be put before it.

Reports

14.7 The Committee may report to the Assembly from time to time in addition to submitting its annual report.

Annex A2

Equality of Opportunity Committee membership in 2006-2007

NAME	DATES	PARTY	CONSTITUENCY
Gwenda Thomas (Chair)	June 03 - to date	Labour	Neath
Lorraine Barrett	June 03 - to date	Labour	Cardiff South and Penarth
John Griffiths	June 03 - to date	Labour	Newport East
Mark Isherwood	May 2004 – to date	Conservative	North Wales
Helen Mary Jones	June 03 - to date	Plaid Cymru	Mid and West Wales

Laura Anne Jones	Jan 04 - to date	Conservative	South Wales East
Huw Lewis	June 03 - to date	Labour	Merthyr Tydfil and Rhymney
Jenny Randerson	June 03 - to date	Liberal Democrats	Cardiff Central
Catherine Thomas	June 03 - to date	Labour	Llanelli
Leanne Wood *	June 03 - to date	Plaid Cymru	South Wales Central